UNITED NATIONS

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General Assembly
Security Council

Distr.
GENERAL

A/51/351
S/1996/744
12 September 1996

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Fifty-first session
Item 81 of the provisional agenda*
REVIEW OF THE IMPLEMENTATION OF THE DECLARATION ON THE STRENGTHENING OF INTERNATIONAL SECURITY

SECURITY COUNCIL
Fifty-first year

Letter dated 11 September 1996 from the Permanent Representative of Croatia to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith the text of the Agreement on Normalization of Relations between the Republic of Croatia and the Federal Republic of Yugoslavia. The Agreement was signed in two original copies, in the Croatian and Serbian languages, both texts being equally authentic. The present text represents the English translation of the Croatian original of the Agreement.

I would be grateful for your kind assistance in circulating the present letter and its annex as a document of the General Assembly, under item 81 of the provisional agenda, and of the Security Council.

(Signed) Mario NOBILO
Ambassador
Permanent Representative

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ANNEX

Agreement on Normalization of Relations between the Republic of Croatia and the Federal Republic of Yugoslavia

The Republic of Croatia and the Federal Republic of Yugoslavia (hereinafter "the Contracting Parties"),

Aware of their responsibility for the establishment and maintenance of peace and security in the region,

Desiring to contribute to that end through the normalization of mutual relations,

Aiming at promoting relations between their peoples and citizens,

Have agreed as follows:

Article 1

The Contracting Parties shall respect each other as independent, sovereign and equal States within their international frontiers.

Article 2

Each Contracting Party shall respect, in accordance with international law, the sovereignty, territorial integrity and independence of the other Contracting Party. The Contracting Parties affirm that they shall carry out the regulation of their frontiers and the delimitation through mutual agreement only, that they shall settle disputes by peaceful means and refrain from threat or use of force in accordance with the Charter of the United Nations. The Contracting Parties shall seek to foster mutual confidence, good will and tolerance and shall cooperate in promoting peace, stability and development in the region.

Article 3

Within 15 days after the signing of this Agreement, the Contracting Parties shall establish full diplomatic and consular relations. The Contracting Parties shall promptly upgrade their existing representative offices to embassies and shall exchange ambassadors.

Article 4

1. The Contracting Parties are agreed to settle the disputed issue of Prevlaka through mutual negotiations. Thereby, a contribution shall be made to the full security of the part of the territory of the Republic of Croatia in the area of Dubrovnik and the part of the territory of the Federal Republic of Yugoslavia in

the area of Boka Kotorska Bay. The Contracting Parties shall settle this important disputed issue through mutual negotiations in the spirit of the Charter of the United Nations and good-neighbourliness.

2. Until mutual agreement on Prevlaka is reached, the Contracting Parties are agreed to respect the existing security regime established during United Nations monitoring.

Article 5

1. Proceeding from the historical fact that Serbia and Montenegro existed as independent States before the creation of Yugoslavia, and bearing in mind the fact that Yugoslavia has prolonged the international legal personality of these States, the Republic of Croatia notes the existence of state continuity of the Federal Republic of Yugoslavia.

2. Proceeding from the historical fact of the existence of the various forms of state organization of Croatia in the past, the Federal Republic of Yugoslavia notes the existence of the continuity of Croatian statehood.

3. The Contracting Parties are agreed to resolve the issue of the succession of the Socialist Federal Republic of Yugoslavia on the basis of the rules of international law on succession of States and through agreement.

Article 6

The Contracting Parties undertake forthwith to speed up the process of solving the question of missing persons, and both Contracting Parties shall immediately exchange all available information about these persons.

Article 7

1. The Contracting Parties shall ensure conditions for the free and safe return of refugees and displaced persons to their places of residence or other places that they freely choose. The Contracting Parties shall ensure to these persons the return of their property or a just compensation.

2. The Contracting Parties shall ensure full security to the refugees and displaced persons who return. The Contracting Parties shall assist these persons to ensure the necessary conditions for a normal and safe life.

3. The Contracting Parties shall declare a general amnesty for all acts committed in connection with the armed conflicts, except for the gravest violations of humanitarian law having the nature of war crimes.

4. The Contracting Parties shall encourage consistent and comprehensive implementation of the Erdut Agreement on the Croatian Danube region.

5. Each Contracting Party shall guarantee the same legal protection to the property of physical and legal persons having the citizenship of the other Party, that is, being seated in the territory of the other Party, as the one enjoyed by its own citizens, that is, its legal persons.

6. Within six months from the date of entry into force of the present Agreement, the Contracting Parties shall conclude an agreement on compensation for all destroyed, damaged or lost property. Such agreement shall define the procedures for the realization of the right to fair compensation, which shall not include court proceedings.

7. For the purpose of implementing the obligations under this article, a joint commission, consisting of three representatives of each Contracting Party, shall be established within 30 days from the signing of this Agreement.

Article 8

The Contracting Parties shall guarantee the Serbs and Montenegrins in the Republic of Croatia and the Croats in the Federal Republic of Yugoslavia all the rights they are entitled to under international law.

Article 9

The Contracting Parties shall conclude, within six months from the date of the entry into force of the present Agreement, a separate agreement on social insurance, which shall regulate disability, health and pension insurance, including the payment of pensions. The Contracting Parties shall conclude, if necessary, other agreements as well concerning the settlement of work- and status-related issues.

Article 10

The Contracting Parties shall continue to cooperate in normalizing road, railway, air and river traffic on the basis of the principle of reciprocity and good-neighbourliness.

Article 11

Internal regulations in force concerning the stay and movement of foreigners shall be applied without discrimination to the entry, movement and stay of the citizens and vehicles of one Contracting Party in the territory of the other Contracting Party.

Article 12

The Contracting Parties shall continue to promote post, telephone and other telecommunications.

Article 13

1. The Contracting Parties shall proceed, without delay, to concluding mutual agreements in the fields of economy, science, education and protection of the environment, as well as in other fields of common interest to the Contracting Parties.

2. The Contracting Parties shall immediately conclude an agreement on cultural cooperation, which shall include the preservation and restoration of cultural heritage.

Article 14

1. The present Agreement has been done in two original copies, in the Croatian and Serbian languages, both texts being equally authentic.

2. The Agreement shall be provisionally applied from the day of signature and shall enter into force after the two Contracting Parties notify each other through diplomatic channels that it has been confirmed by their competent authorities.

Done at Belgrade on 23 August 1996.

For the Republic of Croatia
Dr. Mate Granić
Vice-President of the Government
and Minister for Foreign Affairs

For the Federal Republic of Yugoslavia
Milan Milutinović
Federal Minister for Foreign Affairs